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ŧAM-Turner-CIA; 2 -Takes; 380-610

ŧBy RICHARD PYLE

ŧAssociated Press Writer

WASHINGTON (AP) - President Carter's second nominee for CIA directo said Tuesday he would never allow the assassination of a foreign hea of state by the agency in peacetime; and declared that he favors criminal penalties for persons who leak secret data to the public.

Adm. Stansfield Turner made his statements in completing his testimony before the Senate intelligence committee. He was virtually assured of being confirmed in the CIA post when the committee votes Wednesday.

Chairman Daniel K. Inouye; D-Hawaii; told the 53-year-old Navy officer; who commands NATO forces in southern Europe: ''I don't see any problems. If you have an assignment in Naples tonight; go ahead. think you can feel confident of being confirmed.''

Turner's reception by the committee was in sharp contrast to the treatment accorded Carter's first candidate to head the intelligence agency. Theodore C. Sorensen was forced to withdraw last month after some senators opposed him on grounds he had mishandled classified material while serving as a senior aide in President John F. Kennedy administration.

The only minor obstacle to Turner had been his decision to retain his four-star Navy rank. Some senators said they were disturbed by t idea of having a military man; especially one on active duty; runnin the CIA.

But Turner pointed out that the agency has had nine previous directors or deputy directors who were active military men. He said saw no conflict in the two roles; and it was Carter's ''strong desire'' that he not resign his commission.

He said his military status would not interfere with his efforts to keep the CIA free of outside pressures.

The subject of secret CIA plots to assasinate foreign leaders was raised by Sen. Gary Hart; D.-Colo.; who asked Turner whether he coul visualize a situation where he would approve the elimination of a foreign head of state. Turner replied quickly but tersely; ''Not in peacetime.''

In response to a question from Inouye; Turner said he believed in criminal sanctions for agency employes and former employes who violated an oath of secrecy by disclosing secret information.

He said he would ''certainly be amenable'' to helping to draft legislation for the Congress to provide such criminal penalties.

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ŧAM-TURNER-CIA; 1ST ADD; 220

ŧWASHINGTON: CRIMINAL PENALTIES,

TURNER WOULD NOT SAY HOW LONG HE EXECTED TO SERVE IN THE CIA POST BUT SAID; ''I ALWAYS FEEL IT IS NECESSARY TO TRANSFER LOYALTIES TO THE JOB AT HAND; AND LET THE FUTURE TAKE CARE OF ITSELF.''

TURNER; A 1946 NAVAL ACADEMY CLASSMATE OF CARTER,AND MOST RECENTLY COMMANDER OF NATO FORCES IN SOUTHERN EUROPE; SAID HE WANTS TO ''REBUILD THE PUBLIC REPUTATION'' OF THE INTELLIGENCE COMMUNITY THAT HAS BEEN SEVERELY CRITICIZED IN RECENT YEARS FOR ILLEGAL AND IMPROPER ACTIVITIES AT HOME AND ABROAD.

HE SAID HE WOULD ACCOMPLISH THIS BY MAKING SURE ALL OPERATIONS WERE LAWFUL AND DID NOT VIOLATE INDIVIDUAL RIGHTS; AND THAT WORKERS IN THE INTELLIGENCE FIELD KNEW EXACTLY WHAT WAS EXPECTED OF THEM AND RECEIVED RECOGNITION FOR THEIR EFFORTS.

HE ALSO PROMISED TO COOPERATE WITH CONGRESSIONAL OVERSIGHT OF THE INTELLIGENCE COMMUNITY; INCLUDING PROVIDING DETAILS TO THE FULLEST EXTENT POSSIBLE OF COVERT AND CLANDESTINE OPERATIONS.

TURNER SAID THAT WHILE HE BELIEVES NATIONS MUST HAVE SOME SECRETS; HE WOULD TRY TO MAKE MORE DECLASSIFIED MATERIAL AVAILABLE TO THE PUBLIC.

AS FAR AS OPERATING WITHIN THE LAW IS CONCERNED; TURNER SAID; CARTER ''WANTS TO BE ENSURED THAT THE FOREIGN INTELLIGENCE WORK OF ALL AGENCIES . . . IS BEING CONDUCTED STRICTLY IN ACCORDANCE WITH WITH LAW AND AMERICAN VALUES.''

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